

CARSON CITY DAILY APPEAL

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The Presidential Elector Question

THE PROBLEM IS REVIEWED BY CARSON ATTORNEY

The Attorney-General Asked for Opinion "Comma" Causes all the Trouble

CARSON CITY, July 18, 1912. Democratic Party of the State of Nevada at the National Democratic Convention, and for the purpose of nominating three Presidential Electors.

My Dear General:
As the matter of the nomination of candidates for Presidential Electors by the Democratic, Republican, Socialist and other parties in the State of Nevada is very important and as there seems to be a wide divergence of opinion as to the legal and proper method of effecting such nominations this year, I beg to submit my views on the same, with the hope that you will give them careful consideration and advise me your conclusions as to the proper interpretation of the law.

The original Primary Election Law passed by the Legislature of 1909, approved March 23, 1909 (Stats. 1909, p. 273), contains the following provision in Section 2 of said Act:

"This Act shall not apply to special elections to fill vacancies, to the nomination of party candidates for Presidential Electors; nor to the nomination of officers of the municipalities, whose charters provide a system for nominating candidates for such offices, etc."

In the Legislature of 1911 an Act was passed (Stats. 1911, page 334) amending the above quoted Section 2, so that it would read as follows:

"This Act shall not apply to Special Elections to fill vacancies to the nomination of party candidates for Presidential Electors, nor to the nomination of officers of the incorporated cities, whose charters or ordinances now or hereafter may provide a system of nominating candidates for such offices, nor to the nomination of officers for reclamation and irrigation districts; etc."

The remaining portion of Section 2 which I have not quoted is identical in words and punctuation in both the original and the amendatory Act, but a comparison of the first portion quoted will show that the amendatory Act changed the law with regard to the nomination of officers of cities, making that portion of the provision more explicit and applying to cities whose charters or ordinances may thereafter provide a system for nominating candidates for offices, and it will also be observed that the comma after the word "vacancies" in the first part of the paragraph quoted is omitted in the amendatory Act. The omission of this comma seems to have caused the confusion in the interpretation of the law as amended.

At a regularly called meeting of the Democratic State Central Committee of Nevada, held at Reno on the 13th day of April, 1912, a resolution was adopted providing for the holding of a State Convention at Fallon for the purpose of electing six delegates and six alternates to represent the

Democratic Party of the State of Nevada at the National Democratic Convention, and for the purpose of nominating three Presidential Electors.

The State Convention so called was duly held and at such convention three candidates for Presidential Electors were duly nominated and their said nominations duly certified to the Secretary of State.

The Republican State Convention did not nominate candidates for Presidential Electors, nor was there any mention of such nomination in their call for said convention.

At the Democratic State Convention the question of the legality of the nomination of candidates for Presidential Electors by the Convention was discussed by a number of attorneys who were delegates to said Convention and the conclusion was finally reached that the provisions of Section 2 of the Primary Election Law expressly excluded Presidential Electors from the operation of said Primary Law and it was absolutely necessary for the Convention then assembled or for another Convention of the Democratic Party to nominate such candidates.

Our Republican brethren contend that our interpretation of the law is not correct and that it is necessary to nominate candidates for Presidential Electors in the Primary Election. Their contention seems to be based upon the fact that in the amendatory Act of 1911 the comma is omitted after the word "vacancies." However, it is a well-settled rule that courts will ignore punctuation which is absurd or will either ignore it.

(Continued on Page 4)

ED PATTERSON FOR CLERK

Ed Patterson, the present Clerk and Treasurer of this County, is announcing his candidacy for re-nomination to the office in this issue. In his announcement he is out with a clean record as a county official, one who has given his time and attention to the people and whose books are always open for inspection. He will make his run before the Republican voters on this issue and it looks like it is Ed for the fight again this fall.

Mr. Patterson has through the knowledge of this office made himself generally useful to the people. His manner of conduct is above reproach and the Democrats realize that he will be one of the hardest candidates to defeat, if it is possible, at the coming election. His popularity and integrity makes it a difficult campaign against him. He is a home-maker, a loyal citizen, a splendid officer and a Republican. The truth is good enough in this case and we can't go any further.

FROM RENO

Frank Wildes and wife were arrivals from Reno on the afternoon motor.

QUARTERLY MEETING

The adjourned meeting of the Ormsby County Development and Colonization Association will be held this Friday evening in the Justice court room in the County Building. All stockholders are invited to be present as business of importance will be brought before the meeting.

BIG CASE NEARS END

The taking of testimony before Judge Farrington in the Federal Court in relation to the National Mines suit, is about finished. The rebuttal testimony was all in yesterday and a number of witnesses were examined. The arguments will now be on and when this is concluded it will finish one of the most expensive as well as one of the most important mining suits that has been tried in this state since the Northern Bell and Holmes case became one of record. About fifty witnesses have been here since the case started and a large number of leading lights in the law have conducted the issues.

GRAND HAS VAUDEVILLE AT OPERA HOUSE SUNDAY

On Sunday night the Grand Theater management will open the Opera House with the biggest attraction ever offered in this city for 10 and 20 cents. Signora Ruiss and Signor Di Luca, late stars of the Grazi Paris Grand Opera Company will present an act of rare artistic merit. These opera singers have packed the Majestic Theater in Reno for two weeks, and will play a twenty-weeks' engagement in New York City.

In addition to the above the best of pictures the Grand has ever shown will be included in the program.

Tonight's program is well worth seeing, and being the last night of this change, the opportunity of seeing it should not be missed.

RICKEY PAYS THE MONEY

This afternoon H. H. McPike, one of the attorneys for T. B. Rickey in the recent State Bank case, called on Clerk Patterson and paid Rickey's assessment in the recent settlement of the case, amounting to \$20,000.

The Casa Del Rey

SANTA CRUZ, CALIFORNIA

We desire to announce the completion of our new American-plan dining-room in Casa del Rey.

NEW RATES

\$3.50 per day, \$21.00 per week... Single Person, Without Bath
\$6.50 per day, \$40.00 per week... Two in a Room, Without Bath
\$4.50 per day, \$28.00 per week... Single Person, With Bath
\$8.00 per day, \$50.00 per week... Two in a Room, With Bath
European Plan Rates—\$2.00 per day and upward.

THE COTTAGE CITY has been thoroughly renovated, the streets well lighted, policed and kept by attendants. Meals can be taken at either the Cafeteria, Casino Grill Room or Casa del Rey American-plan dining-room.

R. A. T. E. S

SINGLE COTTAGES—From \$5.00 per week, one person; from \$9.00 per week, two persons; from \$18.00 per week, four persons.

Monthly Rates upon Application.

Santa Cruz Beach Company

Twenty Perish in a Cloudburst

NEVADA MINING CAMP WIPED OFF THE MAP

Mazuma People go to Death in a Wall of Water Late Yesterday

Nevada has been reading the death lists from floods and cloudbursts from over the union, but never believed that such a fatality would rush into the home zone and claim a score of victims. Such occurred at Mazuma, a small mining town near Seven Troughs in Humboldt County last evening. A telegram from Lovelock, the nearest railroad point gives the following story of this loss of life in Nevada by the cloudburst:

LOVELOCK, Nev., July 18.—Estimates made here to-night are that from twenty to twenty-five persons dead will prove the final toll of human life taken by flood following a cloudburst which today wiped out the mining camp of Mazuma and destroyed the business section of Seven Troughs.

The cloudburst originated far up in the mountains and shortly before 5 o'clock in the afternoon, water fifteen feet high sweeping without warning to the inhabitants of the camps, sent a wall of down the hillsides, carrying death and destruction in its path.

The Known Dead

Nine persons are listed among the known dead, one woman is missing and believed lost, two others recovered are seriously injured and may die, while a late message states that fourteen bodies have been recovered, of which ten can be identified, but four, by reason of their condition probably can never be known.

May Be More Dead

The latest message coming from Vernon, four miles north of Seven Troughs states that an intelligent estimate of the total deaths cannot be made, owing to darkness which has delayed the work of search and identification until daylight.

Where the Cloudburst Occurred

Seven Troughs from its higher position on the mountain escaped the full force of the flood, but Mazuma near the base and at the foot of a narrow canyon received the full impact with tragic result.

The Mazuma Hotel, a two-story frame building, was overturned and carted down the stream many feet, store buildings wrenched from their foundations and scores

of persons were carried down with the swollen stream, some to ride to safety by the aid of floating wreckage and others to perish and be found hours later, miles from their homes.

Found Alive

Rescue work early brought gruesome evidence of the tragedy. The discovery of the bodies of Mr. and Mrs. Trenchard was followed by a surprise when it was found that neither was dead. John Trenchard is expected to die but hope is held out that his wife will recover. Mrs. Floyd Fonnannon was found dead and the three children of Mrs. Kehoe were found dead three miles from their home. The mother is missing and it is believed she perished.

Superintendent's Son Lost

Mike Whaleng, a miner, lost his life, as did Perry Gillespie, son of Superintendent Gillespie. Mrs. McLean and Miss Rudell, the postmistress, were found close together.

It is believed that many bodies are strewn over the hillsides in the gulch but the full story cannot be told until daylight.

THE DEAD

MRS. McLEAN, Mazuma.
MRS. REESE, Mazuma.
EDNA RUDELL, Postmistress, Mazuma.
MRS. FONCANNON, Mazuma.
Three children of Mrs. Kehoe, Mazuma.

MIKE WHALENG, Mazuma.
PERRY GILLESPIE, Mazuma.
FOURTEEN UNIDENTIFIED MISSING

MAY DIE

JOHN TRENCHARD, Mazuma.
MRS. JOHN TRENCHARD, Mazuma.

ON A VISIT

Mr. and Mrs. Kelsey of Los Angeles accompanied by Sam Wright his wife and son, have arrived in this city and will spend some time at the old Fox home. The people are all well known Carsonites and are glad to get back into the mountains for the summer months.

CONDITION UNIMPROVED

The condition of Mrs. Herman Manthey remains unimproved and little hope is entertained for her recovery. The many friends in this city are grieved to know of her various serious attacks and her very serious condition.

PROGRESSIVE MASS MEETING

There will be a meeting of those believing in the principles proposed to be formulated at the Progressive Party Convention to be held in Chicago on August 5, 1912, in the District Court room in the Court House, Carson City, on Friday, July 19, 1912, at 7:30 o'clock p. m. to consider various plans proposed for the selection of delegates to the Chicago Convention.

LOST HIS AUTO

Colonel Proskey, while at Tallapoosa lost a big auto by fire. While cleaning about the machine it caught fire and the entire outfit was burned. This was one of the most expensive machines in Nevada and cost the Colonel \$12,000 about a year ago.

GIRL INJURED IN RUNAWAY

A few evenings ago as Mrs. George Bath and her grand daughter, the little Hendricks girl, were driving from the Indian School, there was a runaway that came near proving fatal to the little girl. It appears that the horse, which is steady and reliable bolted as a boy on a bicycle nearly ran into him as they rounded the curve near the railroad track. As the horse bolted and started into the brush Mrs. Bath was thrown out, and sustained many severe bruises. The girl attempted to grab the lines and succeeded in securing one. At this time she was thrown from the rig and landed between the wheels and shaft. Her clothes caught in the wheel and she was being wound into the wheel and, seemingly dead. As she continued to pull on the one line it resulted in guiding the frightened animal into a bank where he stopped. Had the horse gone another twenty-five feet the girl would certainly have been ground to death. It required considerable time to extract her from the perilous position and it was necessary to cut her clothes from her to take her from the wheels.

Both Mrs. Bath and the girl were brought to town. While they both received severe bruises they are considering it fortunate that there was not a fatal accident chronicled.

FROM THE LAKE

Abe Cohn, who has been spending the past ten days at Lake Tahoe has returned to his business in this city. Miss Hoopes and Miss Barkley, who have been visiting with Mrs. Cohn, returned with Mr. Cohn.

DAN QUILL FOR RECORDER

D. W. Quill, one of Carson's best known young men, and who has practically resided in this city his life time, is to-day announcing his candidacy for the office of Recorder and Auditor of this county.

Mr. Quill is asking for the nomination on the Democratic ticket and has been steadfast with the party since he gained his majority. He is one of Carson's best citizens, being a home-builder, and it is here that he has reared his family.

He is well qualified in every respect to hold the office and if elected will make the county a capable and efficient official, and deserves the consideration of all of the voters of this district.

His announcement appears in another column and from this time on he can be considered in the fight.

SHIPPING THE BULLION

Last evening the Mexican Mining Company made a shipment of bullion valued at about \$30,000. This is the second shipment from the mine this month.

CASTORIA

For Infants and Children.

The Kind You Have Always Bought

Bears the

Signature of

J. C. Fitch